

Massachusetts Department of Public Health

HIV/AIDS Bureau

State Wide Consumer Advisory Board

By-laws Mission, Goals, Roles and Procedures

**Ratified
July 16, 1996**

**As Amended on May 27, 1997
and on December 15, 1998
and on December 14, 1999
and on September 19, 2000
and on January 16, 2001**

I. VISION AND VALUES

The Massachusetts Department of Public Health HIV/AIDS Bureau (the Bureau) established the Consumer Advisory Board (CAB) system in the belief that the opinions, experiences, and expertise of individuals directly affected by HIV are essential for developing effective strategies to address issues raised by the HIV epidemic.

The Massachusetts Department of Public Health (MDPH) values a collaborative approach between consumers, providers and funders in considering the challenges that the HIV epidemic raises and in improving the effectiveness of all MDPH HIV/AIDS related activities. In order to be most effective, the State Wide Consumer Advisory Board (SWCAB) is committed to having its membership reflect the diversity of experience and skill of people living with HIV/AIDS (PLWHA).

Accordingly, the mission, goals, roles and procedures of the SWCAB are designed to provide clarity regarding the roles and functions of the SWCAB and to support the collaboration of all partners.

II. MISSION

The mission of the SWCAB is to provide advice to the staff and management of the Bureau and to work collaboratively on a range of strategies, policies and programmatic issues affecting the lives of people affected by HIV and people living with HIV/AIDS. We come together as diverse individuals to form a new whole. This diversity helps to insure that decisions are made to benefit the greater majority, not to satisfy any private agenda.

The SWCAB encourages other PLWHA to participate in the Bureau's Consumer Advisory System on the regional consortia and agency levels. This assures that the advice of PLWHA is incorporated into the planning and operation of HIV/AIDS services funded through the Bureau.

III. GOALS

While the specific objectives of the SWCAB may change from time to time, there are three primary goals, which support its mission:

Goal 1

?? Provide consumer input to the development and implementation of state-wide HIV/AIDS policies.

Goal 2

?? Promote significant input to programs providing AIDS-related services through the support and education of Consumer Advisory Boards and promote the inclusion of PLWHA on consortia and agency CABs.

Goal 3

?? Act as a liaison between consumers and the Bureau in the identification and resolution of problems.

The SWCAB carries out its mission and goals through activities determined in collaboration with the Bureau. These may include the following goal-related tasks:

Task 1

?? Provide consumer input to the development and implementation of statewide HIV/AIDS policies.

By mutually agreeing on and identifying key points in the Bureau's processes, the SWCAB may advise the HIV/AIDS Bureau on the following:

- ?? the formulation of RFP processes
- ?? the HIV/AIDS Bureau budgeting process
- ?? periodic client services and programmatic needs assessment
- ?? prioritization of need and allocation of resources
- ?? programmatic evaluation

Task 2

?? Promote significant input to programs providing AIDS-related services through the support and education of Consumer Advisory Boards and promote the inclusion of PLWHA on consortia and agency CABs.

The SWCAB advises assigned Bureau staff on implementing this goal through a variety of activities, which include:

- ?? establishing clear annual objectives and key activities on which Bureau staff will update the SWCAB periodically
- ?? reviewing the development and effectiveness of CABs through the use of contract management reports, reports from the consumer office staff, and other mechanisms
- ?? identifying, recruiting, supporting and matching PLWHA with agencies in need of consumer participation in the CABs whenever possible
- ?? developing orientation materials and processes for new members of the SWCAB
- ?? communicating with the membership of the CAB system on the consortia and agency levels and the wider PLWHA community throughout the state about its activities

?? prioritizing the educational needs of the CAB system membership and advising on the development of educational and skills building opportunities which may include such topics as:

- ?? burn-out prevention
- ?? leadership development
- ?? program evaluation skills
- ?? meeting facilitation skills
- ?? collaboration skills
- ?? needs assessment skills
- ?? communication skills
- ?? advocacy skills
- ?? others (as needed through a variety of means such as conferences, newsletters, and regional meetings)

Task 3

?? Act as a liaison between consumers and the MDPH HIV/AIDS Bureau in the identification and resolution of problems.

The SWCAB recognizes that the CAB system is designed to provide PLWHA advice at all levels of policy and service provision and that problems and conflicts are most effectively resolved at the level closest to where they occur. However, in its role as liaison, the SWCAB will help the Bureau by:

- ?? identifying recurring patterns of problems
- ?? encouraging regional and local CABs to resolve problems at their level
- ?? recommending courses of action for resolution of conflicts or problems in a timely manner

IV. MEMBERSHIP

The SWCAB membership is drawn from PLWHA active in CABs, agency boards of directors, or other HIV/AIDS-related bodies. This helps to ensure that there is representation from throughout the state. In addition, the SWCAB seeks to have as diverse a membership as possible so that the perspectives of women and men of all ages, races, ethnic groups and risk behaviors are represented. The SWCAB will work to recruit and identify diverse potential members.

Composition

1. The SWCAB will have at least 20 members and no more than 30 members at any time. If there are fewer than 20 members, the SWCAB will be able to continue to function and will prioritize the recruitment of additional members.

2. Membership will include no less than 2 individuals from each of the 6 MDPH regions of the state, with attention given to the inclusion of individuals from the different regional consortia areas throughout the state. The 6 MDPH regions include Boston, Metro-Boston, Northeast, Southeast, Central, and West.
3. Board members who are employees of MDPH-funded agencies must always represent less than 50% of the total Board composition.
4. The Consumer Co-chair of the Massachusetts Prevention Planning Group will be an ex-officio member of the SWCAB, with voting status.

How members are selected

1. Any active member of a Consumer Advisory Board within the CAB system (either at the Consortium or agency level) may be nominated for the SWCAB. PLWHA members in the Title I Planning Council, the Boston AIDS Consortium Steering Committee, and HIV/AIDS service agencies' boards of directors, may also be considered for nomination. All the above mentioned can be nominated by their PLWHA group members. Each regional consortium CAB is encouraged to recommend at least one candidate for the SWCAB.
2. Each January prior to the nomination process, the SWCAB and the Bureau staff will approve and circulate a description of the selection process, the roles and responsibilities of SWCAB members and any particular special population, skills or experience needs that the SWCAB may have.
3. Membership will be recommended by an ad-hoc Nominating Committee composed of four members of the SWCAB and two employees of the Bureau who work regularly with the SWCAB. Recommendations will be submitted no later than March 1 for Bureau approval. All applicants will be notified no later than March 15 of the Bureau's decision. Terms of members will begin at the May meeting.
4. In the event that vacancies in the SWCAB occur between nominating cycles, the SWCAB will seek appropriate individuals to complete the outstanding term of the departing member. The Nominating Committee will identify appropriate members from previous nominations as well as from other sources. The Nominating Committee's search will be guided by need to maintain as diverse a membership as possible so that the perspectives of women and men of all ages, races, ethnic groups and risk behaviors are represented. Open seats will be filled as quickly as possible in order to maintain the vitality and capacity of the SWCAB.

5. In the event of a vacancy within the Executive Committee between election cycles, with the exception of the Chairperson, the following procedures shall apply:
 - ?? The position shall be presented to the entire SWCAB for nomination at the next regular SWCAB meeting. Election shall be held at the regular meeting the following month. All persons filling vacancies between election cycles shall do so for the remainder of the outstanding term of the departing member(s). In the event of a vacancy in the last quarter of the election cycle, the Chairperson shall appoint a member for the remainder of the original term.
6. In the event of a vacancy in the Chair's position between election cycles, the Vice-chair shall become Chairperson automatically for the remainder of the original term.
7. Anyone elected to the Executive Committee shall have served on the SWCAB for at least one year at any time.

How long members serve

1. SWCAB members are elected for three years (refer to "Three Year Term Policy for Statewide Consumer Advisory Board Members").
2. Approximately one-third of the members is elected each year. This is to help assure continuity on the SWCAB as well as gaining the wisdom and expertise of members with longer experience.
3. Incumbent SWCAB members may reapply at the end of each term using the standard application process followed by other candidates. All candidates will be chosen according to the same criteria: DPH regional diversity, racial/ethnic diversity, gender, sexual orientation, CAB system involvement, and completeness of application.
4. If a member is elected to fill a vacancy, which occurs between nominating cycles, they will complete the remainder of the term they are being elected to fill. They will be advised of this upon acceptance to the SWCAB. All terms will coincide with nominating cycles.

Responsibilities of members

SWCAB members participate in MDPH program and policy decision-making on behalf of all people living with HIV in Massachusetts. Though recommended to the SWCAB from various agency and consortia CABs and other HIV-related bodies, once elected to the board, members function as individuals responsible for assessing issues as they affect the entire HIV community. Members bring perspectives and concerns from their local experiences to the statewide level, and

they bring the results of SWCAB deliberations back to local communities.
Therefore:

1. Members are responsible for opening ongoing dialogues with other PLWHA in their areas, using the Consortia and agency CABs and other mechanisms to achieve this.
2. Members are encouraged to present the activities of the SWCAB to other PLWHAs at meetings such as consortia CABs, agency CABs, and/or workshops at least twice per year. SWCAB members are encouraged to replay pertinent feedback from these sessions to the SWCAB and/or MDPH staff.
3. Members are responsible for maintaining appropriate levels of confidentiality, and for declaring any potential conflict of interest regarding their role in SWCAB deliberations.
4. Members are responsible for attending monthly SWCAB meetings. In addition, members are expected to participate on one SWCAB standing committee and to carry out agreed upon assignments between those meetings.
5. Members must be actively engaged in at least one regional Consortium or agency CAB or be a current PLWHA member in the Title I Planning Council, the Boston AIDS Consortium Steering Committee, or a PLWHA member of an HIV/AIDS service agency's board of directors. The Consumer Co-chair of the Massachusetts HIV Prevention Planning Group will also serve on the SWCAB.
6. Members are responsible for notifying the Chair or his/her designee when s/he is unable to carry out her/his responsibilities of SWCAB member.

When a member cannot/does not meet her/his responsibilities

1. When it appears that a member is not meeting her/his responsibilities, a member of the Executive Committee will meet with the member to determine the cause of the problem and to attempt to develop a plan to assist the member. If this is not successful, either the Membership Chair and/or the SWCAB Chair can recommend to the full membership that the member be asked to leave.
2. Any SWCAB member who has three (3) consecutive unexcused absences shall be deemed to have resigned. After the second consecutive unexcused absence, DPH staff will send a letter of notice and reminder of the policy to the member. Subsequent to the third unexcused absence, the member will be notified in writing of the acceptance of the resignation and be advised of

the opportunity to request in writing a vote of reinstatement before the position is declared vacant.

V. LEADERSHIP ROLES

Choosing the leadership

1. The leadership of the SWCAB will be chosen by its full membership.

Chair and Vice-Chair

2. There will be a Chair and a Vice-Chair elected by the membership annually at a SWCAB meeting in April of each year.

Responsibilities of the Chair

3. The Chair will be responsible for:
 - ?? collaboratively planning the agenda of SWCAB meetings with the appropriate Bureau staff
 - ?? serving as the primary link between the SWCAB and assigned Bureau staff
 - ?? chairing the meetings of the full membership of the SWCAB
 - ?? other duties that s/he agrees to assume at the request of or with the permission of the membership

Responsibilities of the Vice-Chair

4. The Chair will make every attempt to include the Vice-Chair in any and all decisions and actions s/he takes as Chair. In addition, the Vice-Chair will assume the duties of the Chair if s/he is unable to carry them out.

Roles and responsibilities of the MDPH HIV/AIDS Bureau CAB system staff as it relates to the SWCAB

5. The SWCAB collaborates with the Bureau in determining the role, functions, and hiring of personnel assigned to the SWCAB. In general, the SWCAB looks to Bureau staff for information regarding HIV/AIDS Bureau policy and program development and for logistical assistance in the operation of the SWCAB and in communicating with the CAB system membership.
6. The Bureau CAB System staff are responsible for working with the Chair of the SWCAB and/or the chairs of standing committees to set the agenda of Board and Committee meetings, to handle logistics for the meetings (notification, food, stipends etc.) and to assure that minutes are circulated. In addition, the staff will convene additional meetings and provide materials to the Executive Committee members as required.

The staff will develop and implement a mechanism for the review of the functioning of the Board system, the status of existing CABs and the identification of major problems as well as proposed interventions. This review will be presented formally to the Executive Committee biannually and to the SWCAB at least once a year, with updates as needed. These reports should coincide with reports from Board members on regional-level feedback.

The staff will oversee training and technical assistance contracts to assist the SWCAB and CAB members. Input into these contracts will be derived from the work of the Communication and Education Committee. Once a year, a proposal for the direction of the contracted funds will be presented to the full SWCAB for its review and feedback.

The staff will act as the liaison between the HIV/AIDS Bureau staff and the SWCAB, relaying relevant information and proposing and convening meetings between SWCAB members and managers and other MDPH staff as needed.

VI. COMMITTEE STRUCTURE

The SWCAB will structure its work through committees as well as through the "Committee of the Whole".

- ?? Committee chairs will be elected by the full membership of the SWCAB.
- ?? Each committee will choose a Vice-chair. The Vice-chair will not assume a seat on the Executive Committee.
- ?? The specific goals and objectives of each committee will be determined by the committee membership with the Consumer Office staff annually. Then, the committee chair is responsible for having the committee carry out those goals and objectives by assigning tasks for the committee as a whole and/or for individual members of the committee as projects require.

Standing Committees

The SWCAB will have the following standing committees:

1. There will be an **Executive Committee** of the SWCAB, which will consist of seven (7) SWCAB members. A portion of the seven must include the Chair, Vice-Chair and the chairs of standing committees. The remaining open positions shall be filled by nominees from the broad membership of the SWCAB. A vote will be taken on the slate of nominations for the "non-chair" Executive Committee members.

The Executive Committee will meet regularly with assigned Bureau staff and management.

In collaboration with MDPH staff, the Executive Committee will be responsible for developing and implementing an annual planning and goal setting and evaluation

process for the SWCAB, including collaborating on key points in the Bureau's processes and policies.

2. There will be a **Membership Committee**.

The Membership Committee will have primary responsibility for:

- ?? monitoring the fulfillment of responsibilities of SWCAB members
- ?? identifying areas of expertise, skill and experience that are missing in the SWCAB membership and communicating them to the nominating committee described in section three part IV of these by-laws under "how members are selected"
- ?? developing orientation materials and processes for new members of the SWCAB

3. There will be a **Communication Committee**.

The Communication Committee will have primary responsibility for:

- ?? communicating with the membership of the CAB system on the consortia and agency levels and the wider PLWHA community throughout the state about its activities through a variety of means, including regional meetings
- ?? advising and assisting in the production of newsletters to be distributed to the membership of the CAB system on all levels, the wider PLWHA community, and service provider staff

4. There will be a **Policy and Procedures Committee**.

The Policy & Procedures Committee will have primary responsibility for:

- ?? reviewing recommendations for amendments to the by-laws
- ?? developing policies and procedures governing how the SWCAB members conduct themselves and/or conduct business pertaining to the SWCAB and to DPH

5. There will be an **Education and Training Committee**.

The Education and Training Committee will have primary responsibility for working with the MDPH Consumer Office staff in overseeing the following activities:

- ?? assessing the educational and training needs of the CAB system membership
- ?? advising and participating in the development and presentation of educational and skills building opportunities through a variety of means, including but not limited to:
 - conferences within and outside of the state
 - training workshops
 - regional meetings
 - publicity about educational and training opportunities

An assigned Bureau staff member will serve as recording secretary for meetings of the full SWCAB and will be responsible for seeing that minutes are distributed to the membership in a timely manner. The Chair of the Education Committee (or his/her designee) will review draft minutes before circulation. The Chair will also act as recording secretary for the full SWCAB meetings in the event that the Bureau staff person is unavailable.

Additional committees of the SWCAB will be established from time to time when the membership agrees there is a need.

VII. MAKING DECISIONS

Every attempt will be made to reach decisions in collaboration with the MDPH staff.

Consensus

Because the SWCAB has a commitment to collaborative process, every attempt will be made to reach consensus on decisions. Consensus means that while each member may not think a particular decision is the best one, it is a decision each member understands and is willing to support in public. Where consensus is not possible, a vote will be taken and a simple majority of a quorum will suffice.

Quorum and Voting

A quorum for voting is fifty percent (50%) plus one of the full SWCAB voting membership.

Proxy representation or voting means that a substitute could represent and/or vote in place of a member. Proxy voting or representation is not allowed. The SWCAB is made up of specific individuals and proxy voting would interfere with its commitment to consensus and collaborative process. However, the Executive Committee will develop a mechanism for absentee voting.

Election of the Executive Committee and other officers

Election of officers (Chair, Vice-Chair and Standing Committee Chairs) and the Executive Committee will be by simple majority vote at an annual meeting of the full membership to be announced in advance and held during the month of April.

VIII. CONFLICT OF INTEREST

SWCAB members are expected to openly identify any potential areas of conflict of interest in fulfilling their responsibilities. Identification of conflict of interest should be made verbally during any meeting in which a conflict arises and in writing to the Chair in advance if possible. Conflict of interest is defined as participation in any decision that might result in financial benefit to the SWCAB member or a member of their family.

IX. CHANGING THE BY-LAWS

A proposal for amendment to the bylaws shall be submitted in writing with a rationale to the Policy and Procedures Committee for their review and recommendation. The Policy and Procedures Committee will then submit the proposed written by-law, the proponent's rationale, and their recommendation to the Executive Committee and the MDPH staff for their consideration. MDPH staff will notify the Executive Committee, will evaluate the proposal, vote whether or not to approve it, and present their recommendation to the next SWCAB meeting for a full SWCAB vote. Wording of any proposed by-law amendment and the proponent's rationale and the Executive Committee's written recommendation shall be included, in writing, in the SWCAB agenda mailing.

A by-law amendment must be passed by a two-thirds majority affirmative vote of the SWCAB and approved by MDPH.